

U.S. Patent Application No. 09/696,117  
Inventor: Satoshi Kitagawa  
Filed: October 25, 2000

### **REMARKS**

Claims 1-6 and 8-25 have been amended, all to more clearly define the invention. Reconsideration, continued examination and allowance of the application as amended are respectfully requested. Further, it is noted that in the Amendment previously filed (mailed on October 4, 2002) in response to the first Office Action (mailed June 5, 2002), the size range for the dots making up the markings (that is "1 to 13") was inadvertently eliminated from claims 5, 6, 11, and 17-22. This range of numbers has been replaced by the present amendment.

Applicant is grateful for the help given by Examiner Caputo given in a telephonic interview held on 28 April 2003. The substance of the interview is as follows: In the interview, Attorney Gerald T. Shekleton described in further detail the limitation of claim 1, specifically that the replacement mark on the wafer was not just a duplicate but would have functionality as it would be available to replace the other mark should it be at least partially effaced during the microfabrication process. The Examiner suggested that Applicant file an after-final response and the case would be considered upon receipt of those papers. Attorney for Applicant agreed to send in an after final response. This is that response.

Applicant has amended the claims as suggested by the Examiner in the telephonic interview. Further, Applicant has amended claims 1-23 to delete all instances of "substantially" and "essentially" and amended claims 24-25 to remove all instances of "essentially", as requested by the Examiner. Applicant suggests that, as amended, the claims are patentably different from the art cited in the Office Action.

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Applicant encloses a petition for a one-month extension of time to file the present response, a Request for Continued Examination (RCE) and a check to cover the necessary fees for the petition and the RCE. Authorization is hereby given to charge any other fees in connection with the subject patent application to Deposit Account No. 23-0920. Further, if the enclosed petition is deficient in any way or if another petition is required, Applicant requests that this paper be considered such a petition and that the required fee be charged to the above-noted Deposit Account.

Reconsideration and withdrawal of the rejections of the claims are respectfully requested. A sincere effort has been made to overcome the Examiner's rejections and to place the application in allowable condition. Applicant invites the Examiner to call applicant's attorney to discuss any aspects of the invention that the Examiner may feel are not clear or which may require further discussion.

In view of the foregoing remarks and amendments, it is believed that the subject application is now in condition for allowance, and an early Notice of Allowance is respectfully requested.

Respectfully submitted,

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Daniel M. Gurfinkel  
Attorney for Applicant  
Registration No. 34,177

WELSH & KATZ, LTD.  
120 South Riverside Plaza  
22<sup>nd</sup> Floor  
Chicago, Illinois 60606  
(312) 655-1500